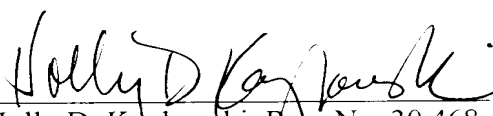


Terminal Disclaimer disclaims the terminal portion of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term, as shortened by any Terminal Disclaimer filed prior to grant, of the earliest to expire of U.S. Patents Nos. 6,375,685 and 5,885,303. The filing of a Terminal Disclaimer simply serves the statutory function of removing the rejection of double patenting and raises neither presumption nor estoppel on the merits of the rejection, *Quad Environmental Technologies v. Union Sanitary District*, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1991). It is therefore submitted that the rejections under the judicially created doctrine of obviousness-type double patenting have been overcome. Reconsideration is respectfully requested.

It is believed that the above represents a complete response to the Official Action and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,

  
Holly D. Kozlowski, Reg. No. 30,468  
DINSMORE & SHORR LLP  
1900 Chemed Center  
255 E. Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8568

947097x1